

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DOROTHY FORTH, TROY TERMINE,
CYNTHIA RUSSO, INTERNATIONAL
BROTHERHOOD OF ELECTRICAL
WORKERS LOCAL 38 HEALTH AND
WELFARE FUND, LISA BULLARD,
AND RICARDO GONZALES, On Behalf
of Themselves and All Others Similarly
Situated,

Plaintiffs,

v.

WALGREEN CO.,

Defendant.

INTERNATIONAL UNION OF
OPERATING ENGINEERS LOCAL 295-
295C WELFARE FUND, Individually and
on Behalf of All Others Similarly Situated,

Plaintiffs,

v.

WALGREEN CO.,

Defendant.

Civil No.: 1:17-cv-02246

Judge John Z. Lee

Magistrate Judge Sheila Finnegan

Civil No.: 1:17-cv-07515

Judge John Z. Lee

**PLAINTIFFS' MOTION FOR CONSOLIDATION OF RELATED ACTIONS AND
APPOINTMENT OF INTERIM CO-LEAD CLASS COUNSEL**

Plaintiffs Dorothy Forth, Troy Termine, Cynthia Russo, Lisa Bullard, Ricardo Gonzales, International Brotherhood of Electrical Workers Local 38 Health and Welfare Fund, and International Union of Operating Engineers Local 295-295C Welfare Fund ("Plaintiffs"), by their undersigned counsel, hereby move this Court, pursuant to Federal Rules of Civil Procedure 1, 42(a), and 23(g), for entry of an order: (1) consolidating the later-filed action *International*

Union of Operating Engineers Local 295-295c Welfare Fund v. Walgreen Co., No. 17-cv-07515 (N.D. Ill.) (the “IUOEL 295 Action”) with the earlier-filed action *Forth v. Walgreen Co.*, No. 17-cv-02246 (N.D. Ill.) (the “Forth Action”), both currently pending before this Court (together, with the IUOEL 295 Action, the “Walgreens Actions”); and (2) appointing as Plaintiffs’ Interim Co-Lead Class Counsel Scott+Scott, Attorneys at Law, LLP (“Scott+Scott”) and Robbins Geller Rudman & Dowd LLP (“Robbins Geller”).

Defendant Walgreen Co. (“Walgreens”) has no substantive objection to consolidation or to Plaintiffs’ motion for appointment as Interim Co-Lead Class Counsel. However, Walgreens does object procedurally to the filing of the motion at this juncture, because Walgreens’ position is that the issue of consolidation should be resolved only after it is determined whether or not the *Forth* case will proceed at all.

Attached as **Exhibit 1** is a true and correct copy of the Class Action Complaint filed in the IUOEL 295 Action.

Attached as **Exhibit 2** is a proposed order, a copy of which will be submitted in Microsoft Word format to the Court by email.

WHEREFORE, Plaintiffs respectfully move for an order consolidating the Walgreens Actions and appointing Interim Co-Lead Class Counsel, and for such further relief as the Court deems necessary and just.

Dated: January 25, 2018

Respectfully submitted,

/s Joseph P. Guglielmo

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CERTIFICATE OF SERVICE

I, Joseph P. Guglielmo, an attorney, hereby certify that the foregoing **MOTION FOR CONSOLIDATION OF RELATED ACTIONS AND APPOINTMENT OF INTERIM CO-LEAD CLASS COUNSEL** was electronically filed on January 25, 2018 and will be served electronically via the Court's ECF Notice system upon the registered parties of record.

/s Joseph P. Guglielmo

Joseph P. Guglielmo